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January 25, 2013

**VIA ELECTRONIC FILING**

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12th Street, SW  
Washington, DC 20554

**RE:** *Expanding Economic and Innovation Opportunities of Spectrum through Incentive Auctions, GN Docket No. 12-268; Amendment of Parts 15, 74 and 90 of the Commission's Rules Regarding Low Power Auxiliary Stations, Including Wireless Microphones, ET Docket No. 10-24; Revisions to Rules Authorizing the Operation of Low Power Auxiliary Stations in the 698-806 MHz Band, WT Docket No. 08-166; Petition for Rulemaking Regarding Low Power Auxiliary Stations, WT Docket No. 08-167*

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Dear Ms. Dortch:

Please accept the following comments on behalf of the PA Thompson Engineering Company regarding whether the FCC should provide for a limited expansion of license eligibility that would permit some wireless microphone and other Low Power Auxiliary Station users to obtain Part 74 licenses.

Thompson Engineering specializes in the design and installation of integrated solutions for telecommunications, nurse call, sound, access control, TV signal distribution, security, CCTV, low voltage control and multi-media systems. Thompson Engineering has distinguished itself as a leading and well-recognized systems integrator with operations in Riverside, San Bernardino and Orange Counties (California). We have installed in the past and continue to install currently, numerous wireless microphone/products particularly in the education markets, e.g., high schools, middle schools, elementary schools and occasionally higher education facilities and church facilities. These systems have become essential in their everyday uses at these facilities. A typical High School installation may have as many as 16 to 20 or more wireless microphone systems installed in Theaters, Gymnasiums, Sports Stadiums, Multi-purpose rooms, etc.. They are in particular, used heavily in the school theater programs for student and community events. Without these wireless devices many of these programs would not be possible.

For the majority of my customers, the products and services I provide are currently defined as unlicensed operations in the TV broadcast band under Part 15, as they do not meet the

requirements to apply for a Part 74 license. Because these technologies represent a significant portion of my business, I am very concerned that not changing the current licensing process could limit my abilities to provide a valuable service to many large scale users in the corporate, civic, government, religious, athletic, academic and entertainment business sectors. My concerns are primarily the need to expand the eligibility requirements to obtain a Part 74 license and secondly to simplify the application process.

Expanding the eligibility to obtain a Part 74 Low Power Auxiliary Service license will ensure continuity of operations and commerce for these socially beneficial operations through the availability of sufficient RF spectrum free from interference and interruption. Many large productions today exceed the two UHF channel capacity currently available and require greater flexibility than that afforded by the unlicensed wireless microphone operation rules, particularly those related to reservations in the TV bands geolocation database.

**The current FCC definition of entities eligible for license covers only a fraction of the population using wireless audio to create socially, culturally and economically valuable content/events.**

Parties eligible for Part 74 licenses have not been updated to reflect current applications of wireless microphones. Large productions routinely found in stadiums, arenas, convention centers, civic auditoriums, corporate campuses, and now a growing number of houses of worship are ineligible to obtain a Part 74 license due to the limitations under the current rules.

Wireless audio systems are critical to productions across a wide variety of industries. Experienced frequency coordinators and sound production companies have significant technical expertise and understanding of wireless audio operations and obligations to handle frequency selection and coordination before and during events. Event producers and audience members attending these productions demand the mobility and high quality professional sound produced by wireless microphones. Wired systems simply do not allow the creativity and flexibility to meet audience expectations, and as a result the demand for wireless audio products continues to increase in all production sectors.

**Reduced UHF Spectrum and the deployment of White Space Devices increase the need for protection from Interference.**

In the near future, professional wireless audio users will increasingly rely on the TV Band geolocation database to ensure that the proper amount of clear spectrum is available at the location and time of their event. Large event production requires flexibility, scalability and the facility to react to unplanned program changes. The Commission's 30-day advance request system for unlicensed operators is not a practical solution for audio professionals and venues that host and work on productions of varying types and sizes, and the additional hurdle of a "pre-registration" adds a significant administrative burden to many of the nation's busiest operators. Having real time access to the geolocation database will help my clients continue to produce quality events.

The 700 MHz Band transition eliminated a large portion of available spectrum for the professional audio community. As the Commission considers further repurposing of the UHF

Band and possible changes to allocations for wireless microphone operations, the need to expand the eligibility requirements for parties to obtain Part 74 licenses and the corresponding benefits of the operating rules for licensed users will become critical to large scale operators far beyond today's narrowly defined class of eligible entities.

Please carefully consider expansion of Part 74 LPAS license eligibility rules and a simplification of the license application process for wireless microphones and related pro audio equipment.

Respectfully submitted,

*Jeff C Tappenden*

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